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August 25, 2025

**VIA ECF AND HAND DELIVERY**

The Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: *Telecom Business Solution, LLC, et al. v. Terra Towers Corp., et al.*,  
Case No.: 1:22-cv-01761**

Your Honor:

We write on behalf of non-parties Telecom Business Solution S.R.L., Continental Towers Peru, S.R.L., Collocation Technologies Peru, S.R.L., Magali Merino Ascarrunz, and Jorge Alejandro Garzaro Perez (the “Peru Non-Parties”) to address the August 22, 2025 sur-reply filings by Petitioners Peppertree and AMLQ<sup>1</sup> (Dkt Nos. 436 [letter], 436-1 [proposed sur-reply], 436-2 [attorney Nuñez’s declaration in support of sur-reply], 436-3 [Ex. A to the declaration], 436-4 [Ex. B to the declaration]—together, the “Sur-Reply”).<sup>2</sup>

Petitioners seek leave to file the Sur-Reply to further oppose the Peru Non-Parties’ Renewed Motion for Reconsideration of or, Alternatively, for Relief from the April 22, 2025 Memorandum Opinion and July 7, 2025 Memorandum Opinion on Reconsideration (Dkt Nos. 417-419, the “Renewed Motion”). The Peru Non-Parties oppose Petitioners’ request because in addition to being a breach of their obligation of confidentiality in the Peru Arbitration, Petitioners’ Sur-Reply contains numerous assertions concerning the proceedings in the Peru Arbitration that are false or misleading, and irrelevant to the motions before the Court.

If the Court allows Petitioners’ Sur-Reply, the Peru Non-Parties respectfully request leave to respond to the Sur-Reply as set forth in the attached Declaration of Edwin Pezo Arévalo (“Pezo Declaration”).

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<sup>1</sup> “Peppertree” refers collectively to petitioners Telecom Business Solution, LLC and LATAM Towers, LLC; and “AMLQ” refers to petitioner AMLQ Holdings (Cay), Ltd.

<sup>2</sup> By filing this Letter Response and the attached filings referenced in this Letter, the Peru Non-Parties do not submit themselves to the jurisdiction of this Court and expressly reserve all available defenses, including challenges to the Court’s jurisdiction. This Letter Response is not intended to, and does not, constitute a waiver of any defense or objection available to the Peru Non-Parties.

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This Court's Contempt Order directs the named Respondents and the Peru Non-Parties to terminate or vacate the *Peru-Related BVI Action*. Petitioners have disregarded all of the Peru Non-Parties' efforts since early May 2025 to coordinate with the Board of Continental Towers LATAM Holdings Limited ("Continental"), from which they are taking direction on this matter. Now, on the cusp of resolving the issue underlying the Court's contempt order—by pursuing the course of action most likely to terminate or vacate the Peru-Related BVI Action expeditiously as recommended by the Peru Non-Parties' BVI counsel (Walkers) (*see* Dkt Nos. 417-419, 424, 435)—Petitioners sow confusion by mischaracterizing an entirely separate proceeding, the *Peru Arbitration*. Petitioners' proposed Sur-Reply is irrelevant and reveals that their real motive is to derail the termination of the Peru-Related BVI Action to keep the Peru Non-Parties in the mix. For the reasons discussed in the Pezo Declaration, Petitioners' Sur-Reply fails to provide a faithful representation of the post-award proceedings in the Peru Arbitration and should not be allowed to derail efforts to terminate the Peru-Related BVI Action.

Respectfully,

/s/ Alette D. Rodz

*Counsel for Peru Non-Parties, Telecom  
Business Solution S.R.L., Continental  
Towers Peru, S.R.L., Collocation  
Technologies Peru, S.R.L., Magali Merino  
Ascarrunz, and Jorge Alejandro Garzaro  
Perez*

cc: Counsel of record (via ECF)